

Montana Department of Natural Resources and Conservation
Water Resources Division
Water Rights Bureau

ENVIRONMENTAL ASSESSMENT
For Routine Actions with Limited Environmental Impact

Part I. Proposed Action Description

1. Applicant/Contact name and address: **Hagenbarth Land Montana LP
PO BOX 1128
Dillon MT, 59715**
2. Type of action: **Application to Change Water Right No. 41B 30102793**
3. Water source name: **Groundwater**
4. Location affected by project: **The project is located in Beaverhead County about 10 miles north of the town of Dillon, Montana**
5. Narrative summary of the proposed project, purpose, action to be taken, and benefits:

The proposed change is to add two points of diversion (two groundwater wells) to an existing stock watering system and eight additional places of use (stock tanks). The existing system associated with Groundwater Certificate No. 41B 313210 includes 10 stock tanks and supplies water via a developed spring and an extensive pipeline. Six storage tanks will also be added to the new system. The two wells are to be located in the NESWNW Section 1, T6S, R9W and appropriate water from the same water-bearing formation as the developed spring that is the original POD. The wells are proposed for purposes of providing an alternative/redundant water supply, improved water quality, and to prevent freezing of water in the winter months. The new stock tanks will be located in sections 24, 26, 27, 35 of T5S, R9W, and sections 12, 17, and 19 of T5S, R8W, all in Beaverhead County.

6. Agencies consulted during preparation of the Environmental Assessment:
(include agencies with overlapping jurisdiction)

**Dept. of Environmental Quality Website – Clean Water Act Information Center
MT. National Heritage Program Website - Species of Concern
USDI Fish & Wildlife Service Website - Endangered and Threatened Species
MT State Historic Preservation Office - Archeological/Historical Sites
USDA Natural Resources Conservation Service – Web Soil Survey
USDI Fish & Wildlife Service – Wetlands Online Mapper**

Part II. Environmental Review

1. **Environmental Impact Checklist:**

PHYSICAL ENVIRONMENT

WATER QUANTITY, QUALITY AND DISTRIBUTION

Water quantity - Assess whether the source of supply is identified as a chronically or periodically dewatered stream by DFWP. Assess whether the proposed use will worsen the already dewatered condition.

Determination: **No Significant Impact.**

The source of supply for this application is groundwater; therefore, it has not been identified as a chronically or periodically dewatered stream by DFWP. There is a low likelihood that this project will have a significant impact on water quantity; demands on the hydrologic system are expected to decrease by ten acre-feet annually.

Water quality - Assess whether the stream is listed as water quality impaired or threatened by DEQ, and whether the proposed project will affect water quality.

Determination: **No Significant Impact.**

This change is to add 8 stock tanks and two new points of diversion to an existing groundwater certificate. As such, the source has not been listed as a water quality impaired or threatened stream by DEQ. There is a low likelihood that the new tanks or points of diversion will have a significant impact on water quality.

Groundwater - Assess if the proposed project impacts ground water quality or supply. If this is a groundwater appropriation, assess if it could impact adjacent surface water flows.

Determination: **No Significant Impact.**

The proposed change should not have a significant impact on ground water quality or supply. The proposed change will reduce the annual stock use of the water right by approximately ten acre-feet per year.

DIVERSION WORKS - Assess whether the means of diversion, construction and operation of the appropriation works of the proposed project will impact any of the following: channel impacts, flow modifications, barriers, riparian areas, dams, well construction.

Determination: **No impact.**

The proposal includes the addition of two new groundwater wells and continued use of the existing developed spring. Water is/will be pumped at a flow rate of 30 GPM. All tanks have float/ shut-off valves. Channel impacts, impacts to flow modifications, barriers, riparian areas, dams or well construction are not anticipated.

UNIQUE, ENDANGERED, FRAGILE OR LIMITED ENVIRONMENTAL RESOURCES

Endangered and threatened species - Assess whether the proposed project will impact any threatened or endangered fish, wildlife, plants or aquatic species or any “species of special concern,” or create a barrier to the migration or movement of fish or wildlife. For groundwater, assess whether the proposed project, including impacts on adjacent surface flows, would impact any threatened or endangered species or “species of special concern.”

Determination: **No Significant Impact.**

The Montana National Heritage Program lists 10 Species of Concern within Township 5 South, Range 9 West. The common names for the species include the Spotted Bat, Hoary Bat, Great Basin Pocket Mouse, Golden Eagle, Great Blue Heron, Ferruginous Hawk, Greater Sage-Grouse, Clark's Nutcracker, Long-billed Curlew, and the Brewer's Sparrow. No impacts to any of these species are expected with the project; the majority of the project location has previously been disturbed by agricultural practices associated with livestock grazing.

Wetlands - Consult and assess whether the apparent wetland is a functional wetland (according to COE definitions), and whether the wetland resource would be impacted.

Determination: **No Significant Impact.**

The National Wetlands Inventory website shows a very limited amount of Freshwater Emergent Type Wetlands adjacent to the source through a limited portion of the Applicant's proposed place of use. Wetlands should not be significantly impacted as a result of this project.

Ponds - For ponds, consult and assess whether existing wildlife, waterfowl, or fisheries resources would be impacted.

Determination: **No Significant Impact.**

This project does not involve a pond. No impact to wildlife, waterfowl, or fisheries is anticipated.

GEOLOGY/SOIL QUALITY, STABILITY AND MOISTURE - Assess whether there will be degradation of soil quality, alteration of soil stability, or moisture content. Assess whether the soils are heavy in salts that could cause saline seep.

Determination: **No Significant Impact.**

The NRCS Web Soil Survey shows the predominant soil unit around the proposed point of diversion is the Thessvo-Scravo complex; with 0 to 4 percent slopes. This unit consists of a gravelly loam mix that is well drained. The soil is moderate-highly susceptible to wind erosion; there is a low likelihood of significant impact to soil quality because of this project.

VEGETATION COVER, QUANTITY AND QUALITY/NOXIOUS WEEDS - *Assess impacts to existing vegetative cover. Assess whether the proposed project would result in the establishment or spread of noxious weeds.*

Determination: **No Significant Impact.**

Construction associated to this project was partially completed prior to this application. Normal weed management can be used to control noxious weeds potentially invading disturbed areas due to construction activities; therefore, no spread of noxious weeds should be associated with this application. It is the responsibility of the property owner to control noxious weeds on their property.

AIR QUALITY - *Assess whether there will be a deterioration of air quality or adverse effects on vegetation due to increased air pollutants.*

Determination: **No Significant Impact.**

No impacts to air quality or adverse effects to vegetation are expected as a result of this proposal.

HISTORICAL AND ARCHEOLOGICAL SITES - *Assess whether there will be degradation of unique archeological or historical sites in the vicinity of the proposed project.*

Determination: **No Significant Impact.**

The acres under the proposed places of use have been previously disturbed by grazing operations. There is a low likelihood cultural properties will be affected; a cultural resource inventory is unwarranted at this time.

DEMANDS ON ENVIRONMENTAL RESOURCES OF LAND, WATER, AND ENERGY - *Assess any other impacts on environmental resources of land, water and energy not already addressed.*

Determination: **No Significant Impact.**

No additional impacts are anticipated.

HUMAN ENVIRONMENT

LOCALLY ADOPTED ENVIRONMENTAL PLANS AND GOALS - *Assess whether the proposed project is inconsistent with any locally adopted environmental plans and goals.*

Determination: **No Significant Impact.**

No locally adopted environmental plans or goals have been identified.

ACCESS TO AND QUALITY OF RECREATIONAL AND WILDERNESS ACTIVITIES - *Assess whether the proposed project will impact access to or the quality of recreational and wilderness activities.*

Determination: **No Significant Impact.**

The proposed action should not negatively impact recreational activities in the area. The project lies on private lands, and access to public lands is restricted to land owner permission.

HUMAN HEALTH - *Assess whether the proposed project impacts on human health.*

Determination: **No Significant Impact.**

No impacts to human health have been identified.

PRIVATE PROPERTY - *Assess whether there are any government regulatory impacts on private property rights.*

Yes___ No_X__ If yes, analyze any alternatives considered that could reduce, minimize, or eliminate the regulation of private property rights.

Determination: **No known impacts.**

OTHER HUMAN ENVIRONMENTAL ISSUES - *For routine actions of limited environmental impact, the following may be addressed in a checklist fashion.*

Impacts on:

- (a) Cultural uniqueness and diversity? **None**
- (b) Local and state tax base and tax revenues? **None**
- (c) Existing land uses? **None**
- (d) Quantity and distribution of employment? **None**
- (e) Distribution and density of population and housing? **None**
- (f) Demands for government services? **None**
- (g) Industrial and commercial activity? **None**
- (h) Utilities? **None**
- (i) Transportation? **None**
- (j) Safety? **None**
- (k) Other appropriate social and economic circumstances? **None**

2. *Secondary and cumulative impacts on the physical environment and human population:*

Secondary Impacts – **No secondary impacts have been identified.**

Cumulative Impacts – **No cumulative impacts have been identified.**

3. *Describe any mitigation/stipulation measures:*

No mitigation or stipulation measures have been identified by the Applicant. The Department may impose a measurement condition to ensure required criteria are met.

4. *Description and analysis of reasonable alternatives to the proposed action, including the no action alternative, if an alternative is reasonably available and prudent to consider:*

No action alternative: Deny the application. This alternative would result in no change to the existing water rights for irrigation.

PART III. Conclusion

1. ***Preferred Alternative***

The preferred alternative is the proposed alternative.

2 ***Comments and Responses***

None Received.

3. ***Finding:***

Yes ___ No **X** *Based on the significance criteria evaluated in this EA, is an EIS required?*

If an EIS is not required, explain why the EA is the appropriate level of analysis for this proposed action:

None of the identified impacts for any of the alternatives are significant as defined in ARM 36.2.524.

Name of person(s) responsible for preparation of EA:

Name: Mike Everett

Title: Water Resources Specialist – LRO

Date: 1/13/2017